

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

September 23, 2008

Douglas E. Cressler
Chief Deputy Clerk

Gary C. Mitchell
P.O. Box 2460
Ruidoso, NM 88345-0000

Jody Neal-Post
317 Amherst S.E.
Albuquerque, NM 87106-0000

RE: 08-2223, United States v. Jarvis
Dist/Ag docket: 1:05-CR-01849-JCH-1

Dear Counsel:

This appeal was docketed today. For your convenience, copies of the Tenth Circuit Rules, effective January 1, 2008, and the Federal Rules of Appellate Procedure, effective December 1, 2007, are available on the court's website at www.ca10.uscourts.gov. You may also obtain a copy of the rules by calling this office. Effective September 4, 2007, counsel must also comply with the court's new General Order, which takes effect that day. You may find the order on the court's website. We invite you to contact us with any questions you may have about our operating procedures. Please note that all court forms are now available on the court's web site. Outlined below are some of the requirements for prosecuting this appeal.

Because this is a bail appeal, Fed. R. App. P. 9 and 10th Cir. R. 9 must be carefully followed.

Attorneys for parties must complete and file an entry of appearance form within 10 days from the date of this letter. Pro se parties must complete and file the form within 30 days from the date of this letter. *See* 10th Cir. R. 46.1. Appellant's failure to enter an appearance may cause the appeal to be dismissed. An appellee who fails to enter an appearance may not receive notice or service of orders.

No docketing statement need be filed.

Within 10 days after filing the notice of appeal or motion for release, the party seeking relief must file:

A. a memorandum containing:

1. a statement of facts necessary for an understanding of the issues presented;
2. the grounds for relief, including citation to relevant authorities; and
3. a statement of the defendant's custodial status and reporting date as relevant
-- the court must be notified of any change in custody status pending the review process; and

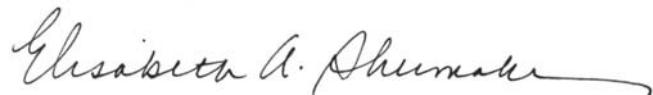
B. two copies of an appendix containing:

1. the district court's docket entries;
2. all release orders or rulings, together with the reasons (findings and conclusions) given by the magistrate judge or the district judge for the action taken;
3. any motion filed in the district court on the issue of release, and relevant memoranda in support or opposition;
4. transcripts of any relevant proceeding if the factual basis for the action taken is questioned;
5. the judgment of conviction, if review is sought under Fed. R. App. P. 9(b); and
6. other relevant papers, affidavits, or portions of the district court record.

Within 10 days after the Rule 9.2 memorandum is filed, the opposing party must file a response or notify the court that a response will not be filed. The matter will be considered at issue after the opposing party has been given reasonable notice and an opportunity to respond.

Please contact this office if you have questions.

Sincerely,



Elisabeth A. Shumaker
Clerk of the Court

cc: James R.W. Braun
 Stephen R. Kotz
 James D. Tierney

EAS/sds